

CITY OF SAN JOSÉ, CALIFORNIA
Department of Planning, Building and Code Enforcement
801 North First Street, Room 400
San José, California 95110-1795

STAFF REPORT

Hearing Date/Agenda Number
P.C. 11-20-2002 Item 4.b.3

File Number
PDC 01-10-098

Application Type
Planned Development Rezoning

Council District
2

Planning Area
Edenvale

Assessor's Parcel Number(s)
678-01-016 and -017 (portion)

PROJECT DESCRIPTION

Completed by: Jeff Roche

Location: Easterly side of US 101, northerly of Metcalf Road

Gross Acreage: ~ 257.2

Net Acreage: See staff report

Net Density: See staff report

Existing Zoning: R-1-1 Residence

Existing Use: Vacant

Proposed Zoning: A(PD) Planned
Development

Proposed Use: Up to 200 single-family detached residences, open space and associated
improvements.

GENERAL PLAN

Completed by: JR

Land Use/Transportation Diagram Designation
Non-Urban Hillside & Low Density Residential (5 DU/AC)

Project Conformance:
☐ Yes ☐ No
☒ See Analysis and Recommendations

SURROUNDING LAND USES AND ZONING

Completed by: JR

North: Single-Family Attached and Detached Residential

A (PD) Planned Development

East: Vacant

R-1-1 Residence

South: Vacant

R-1-1 Residence

West: US 101 & Coyote Creek

A-Agriculture & R-1-1 Residence

ENVIRONMENTAL STATUS

Completed by: JR

☒ Environmental Impact Report (Pending)
☐ Draft Negative Declaration circulated

☐ Exempt
☐ Environmental Review Incomplete

FILE HISTORY

Completed by: JR

Annexation Title: Riverside No. 5

Date: 01/06/64

PLANNING DEPARTMENT RECOMMENDATIONS AND ACTION

☐ Approval
☒ Approval with Conditions
☐ Denial
☐ Uphold Director's Decision

Date: _____

Approved by: _____
☐ Action
☒ Recommendation

APPLICANT/OWNER/DEVELOPER

Braddock & Logan Group, Inc.
Attn: Joseph Raphael, President
4155 Blackhawk Plaza Circle
Danville, CA 94506

APPLICANT/OWNER

Almaden Associates, LLC
Attn: Pete Klein, Chief Financial Officer
7950 Dublin Boulevard # 111
Dublin, CA 94568

PUBLIC AGENCY COMMENTS RECEIVED**Completed by: Jeff Roche**

Department of Public Works

See attached memoranda and Geologic Hazards Clearance.

Other Departments and Agencies

See attached memoranda from the City of San Jose Fire Department, Police Department, Environmental Services Department, and Department of Transportation.

See attached letters from the State of California, Departments of Transportation and Fish & Game, Santa Clara Valley Water District, Santa Clara Valley Transportation Authority, PG&E, and the County of Santa Clara Parks and Recreation Department.

GENERAL CORRESPONDENCE

See attached letters from members of the neighborhood.

ANALYSIS AND RECOMMENDATIONS

BACKGROUND**Project Description**

The applicant, Braddock and Logan Group, Inc., is requesting a Planned Development Rezoning of 257.2 gross acres from the R-1-1 Residence District to A (PD) Planned Development, to allow the development of up to 200 single-family detached residential units, open space and associated improvements, and the extension of Basking Ridge Avenue from its southerly terminus, through the subject site to Metcalf Road. The portion of the site proposed for development by the applicant is approximately 41.1 acres. The remainder of the site, approximately 216 acres generally located above the 15 percent slope line, is proposed to be dedicated to the Open Space Authority, Nature Conservancy or similar open space preservation organization in order to ensure the permanent preservation of the hillsides located immediately to the east of the proposed development.

As shown on the Conceptual Site Plan (Sheets 4A and 4B) and Conceptual Grading Plan (Sheets 5A through 5 E), the project developer has proposed to build up to 200 small-lot, single-family residences in three relatively distinct areas of the subject site. All streets within the project are proposed to be public streets.

General Plan History

The site has been designated for urban development since 1983 when the City Council changed the General Plan Land Use/ Transportation Diagram designation from Non-Urban Hillside and Rural Residential (0.2 DU/AC) outside the Urban Service Area, to Campus Industrial within the Urban Service Area (File No. GP83-08-06). A corollary amendment designated Basking Ridge Avenue as an Arterial (File No. GP 83-08-11) to support the 2,200 jobs anticipated in the industrial buildout. In 1991, the City Council changed the designation of the "Levin Property" immediately to the north of the subject site from Campus Industrial to Medium Density Residential (8-16 DU/AC) to allow

development of the site with up to 600 single-family and townhouse residential units, and in 1992 the Plan was amended to downgrade Basking Ridge Avenue from an arterial to a Major Collector, reflecting the reduction in expected traffic flows after shrinking the area planned for Campus Industrial. The approval of residential on the Levin property left the subject site to the south as an isolated remnant of Campus Industrial that, upon development, had the potential to send industrial traffic through the Basking Ridge residential neighborhood on the Levin property. At the time of the San Jose 2020 General Plan Update, the Council redesignated the site to Low Density Residential (5 DU/AC) (File No. SJ2020-2-1) in recognition that the site was no longer desirable for industrial development and that residential uses would be more compatible with the existing residential neighborhood to the north. The Amendment was approved with the understanding that development would occur only on those lands below the 15 % slope line. The applicant has requested a General Plan Amendment this year (File No. GP01-02-01) to increase the residential density to Medium Density Residential (8-16 DU/AC).

Existing Conditions, Surrounding Uses, and Access

The entire project site includes approximately 257.2 gross acres of grassland with scattered oaks stretching from the existing southerly terminus of Basking Ridge Avenue to Metcalf Road. Slopes range from 5 to 15 percent along the westerly edge of the site, becoming steeper as they proceed east. Riparian vegetation borders an unnamed tributary to Coyote Creek along the northerly site boundary. Seasonal wetlands, freshwater marshes and freshwater seeps exist on the site primarily along the westerly edge of the project.

The remnants of the buildings and structures from the era of the Twin Oaks Dairy currently exist on portions of the property. A 34-inch, high-pressure natural gas pipeline traverses the westerly portion of the site in a north/south direction. A high tension power line is located easterly of the gas line running the length of the site and crossing the future Basking Ridge Avenue at the southerly property boundary. An abandoned Santa Clara Valley Water District canal zigzags through the site in a north/south direction.

The site is bordered on the north by the Shea Homes/Basking Ridge residential community consisting of approximately 600 single-family and townhouse residences and the adjacent public school and park; on the east by vacant hillside ranch land, on the south by Metcalf Road and the Santa Clara County Motorcycle Park; and on the west by vacant land, US Highway 101, Coyote Creek and the Coyote Creek Park Chain.

Public street access to the site is currently provided from Basking Ridge Avenue which stubs into the northerly site boundary, and from Metcalf Road which runs adjacent to the southerly site boundary. Currently there is no street connection between Basking Ridge at the north end of the site and Metcalf at the south end.

The intersection of Metcalf Road/US 101 is currently shown on the City's General Plan as a future interchange; however, based upon staff discussions with Caltrans, staff has concluded that it is unlikely that this would be constructed as a full interchange given other planned interchanges to the south that are proceeding through the design process.

PUBLIC OUTREACH

A community scoping meeting was held on January 31, 2002, to discuss the range of analysis to be included in the project's Environmental Impact Report. Community concerns expressed at that meeting included increased traffic, traffic safety, the need for traffic calming measures, and noise.

Notices of the public hearings on the project before the Planning Commission and City Council were published, posted on the City of San Jose web site and distributed to the owners and tenants of all properties located within 1,000 feet of the project site.

At the request of the Council District 2 office, and in response to neighborhood concerns and interest in the proposed project, a community meeting was held on November 14, 2002, at the Rita Ledesma Elementary School to allow the applicant to present the project to the community and to receive public comment.

Summary of the Community Meeting

More than 200 residents, primarily from the development to the north, attended the November 14th meeting. Issues and concerns raised by the neighborhood included the following: increases in traffic, cut-through traffic, traffic safety, the need for traffic calming measures, a desire to avoid a through connection from Basking Ridge Avenue to Metcalf Road, crime, land use density, adequacy of policing, lack of commercial services, safe access to Coyote Creek Park, impacts to local schools, noise, and the potential reduction in quality of life and reduction in home values. The majority of the residents present at the meeting expressed opposition to both the proposed increase in residential density and the through connection of Basking Ridge Avenue to Metcalf Road. Several neighbors indicated that they did not want Basking Ridge Avenue to become like Monterey Highway.

Staff noted that although the Metcalf/US 101 intersection is shown on the City's General Plan as a future interchange, staff believes it is currently unlikely that this would be constructed as a full interchange given other planned interchanges to the south that are proceeding through the design process. Staff indicated at the meeting that the current grade-separated facility, not a full interchange, would remain the level of improvement at Metcalf/US 101 and that a General Plan Amendment would likely be initiated in the future to delete the Interchange designation and replace it with a Separation designation. Staff also noted that traffic calming measures including stop signs, bulb-outs at the corners of intersections, small medians in some of the streets, trees, site design changes, and other measures, were being explored and would be designed in a continuing dialogue with the community.

A neighbor who spoke in favor of the project, indicated that only 90 out of the total 460 students at the local school in the Basking Ridge community actually come from the neighborhood, suggesting that the remainder of the children at the school travel from outside the immediate neighborhood. He also indicated that new stop signs within the existing and planned neighborhoods could minimize traffic concerns.

Concerns were also expressed by the neighborhood that the community meeting was held too late in the process to allow their concerns to be adequately addressed in the project design and in staff's analysis. In response to community concerns and to allow staff additional time to respond to issue raised by the neighborhood, the project was deferred from November 18th, to the November 20th and is being recommended for further deferral to a November 25th Planning Commission hearing.

Summary of Correspondence

All correspondence received regarding this proposal has been included with this report. Included in this correspondence are petitions from the neighborhood in opposition to the proposal. Issues raised by the neighborhood in the attached letters and petitions include the following: increased traffic (specifically cut-through traffic), crime, aesthetics, loss of a sense of community, design alternatives, construction impacts, noise, proximity to overhead power lines, impacts to the hillsides, speeding, pedestrian safety, and overcrowding in schools.

ENVIRONMENTAL REVIEW

The Draft Environmental Impact Report (EIR) prepared for the project identifies air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, and noise as impacts that are potentially significant, but that are less than significant with mitigation. The Draft EIR identifies that the conversion of this vacant grassland site to housing will result in a significant unavoidable aesthetic impact and a significant unavoidable land use impact due to the loss of open space. The Draft EIR concludes that this project, together with reasonably foreseeable projects, will result in significant unavoidable cumulative impacts in the areas of traffic, air quality, aesthetics, and loss of open space. In order to approve the project, the City Council will need to include Overriding Considerations in its Resolution of Findings for those significant project and cumulative impacts that cannot be avoided.

GENERAL PLAN CONFORMANCE

The property currently has a designation of Low Density Residential (5 DU/AC) and Non-Urban Hillside on the San Jose 2020 General Plan Land Use/Transportation Diagram. The proposed project with 200 dwelling units does not conform to the existing General Plan Land Use/Transportation Diagram designation of Low Density Residential (5 DU/AC); however, it would conform to either the applicant's request for a General Plan designation of Medium Density Residential (8-16 DU/AC), or the staff's proposed combination of Medium Density (8-16 DU/AC) and Medium Low Density (8 DU/AC) Residential designations now pending before the Planning Commission and City Council (File No. GP 01-02-01). The General Plan Amendment is scheduled to be heard by the Planning Commission and City Council immediately prior to the subject Planned Development Zoning.

The eastern portion of the site proposed for development is at the edge of the Urban Service Area (USA) and the Greenline/Urban Growth Boundary (UGB) on the east valley. The UGB is a strategy to define the ultimate perimeter of urbanization in San Jose and to preserve valuable open space resources. The USA identifies where urban development can safely and reasonably be accommodated and where urban services can efficiently be provided. Lands outside the UGB and the USA are intended to remain permanently rural in character and could remain under the jurisdiction of the County. Staff has concluded that the project conforms to the USA and UGB.

The subject site is directly visible from US Highway 101, which is designated as a Rural Scenic Corridor and Urban Throughway, on the General Plan Scenic Routes and Trails Diagram. Rural Scenic Corridors are generally located through areas of picturesque natural landscapes and areas of significant scenic value such as the hillside area of which the subject site is a portion. The hillsides of San Jose are an important visual and natural resource, which should be preserved. Urban Throughways consist of the highways that traverse San Jose, many of which function as gateways to the City and should present the best possible views of the natural and urban environment. The

proposed development comprised entirely of small-lot single family lots does not fully achieve the preservation of hillsides and the associated scenic value that could be obtained through a mixture of attached and detached unit development. The proposed location of Basking Ridge Avenue on the western edge of the site, immediately adjacent to Highway 101, will help to minimize the impacts to the Scenic Corridor by lining the highway with landscaping rather than a sound wall and 2-story buildings.

ANALYSIS

The main issues associated with this proposal are: Site Design, Traffic and Traffic Calming, Infrastructure, Geology and Grading, Utility Easements, Historic Resources and Open Space Preservation.

Site Design

Site design for this project is constrained by an unusual number of complex constraining factors including slope, wetlands, sensitive species, earthquake faults, utility easements and its prominent and visible gateway location immediately adjacent to US 101. For the most part, the proposed site design addresses these issues; however, staff continues to have concerns in three primary areas: 1) development at the southerly end of the site; 2) lot configuration and 3) integration of the project with the adjacent Ceralo Property. These issues are discussed below.

Southerly Portion of the Property

The applicant's proposed small-lot single family project shows ten lots at the southerly end of the site in a small enclave separated from the remainder of the proposed housing by approximately 350 feet of environmental mitigation area. These ten lots encroach significantly into the hillside, require a significant amount of grading and are relatively isolated from the residential neighborhood that this project seeks to create. The staff recommendation for the pending General Plan Amendment proposes to retain the Non-Urban Hillside designation at this location. Staff believes that these lots should be eliminated from their current location and that the units should be relocated to the northerly portion of the site where staff is proposing Medium Density Residential (8-16 DU/AC). In order to achieve the same number of units on a smaller area of the site, staff recommends that the developer incorporate some single-family attached units into the overall project design. This approach would achieve the proposed density, preserve more open space and create a more unified neighborhood, and would be similar to the existing residential development to the north.

Setbacks and Geologic Constraints

The current lotting pattern includes 14 lots that are undevelopable due to earthquake fault setbacks, and an unusually large number of flag lots (25, or approximately 12.5 percent of the total units). Flag lots lack public street presence, make police surveillance difficult, and in large numbers have the potential to negatively impact the character of a single-family neighborhood. If used sparingly, flag lots can be used very effectively as a design tool for unique situations. The adjoining Basking Ridge housing project provides a good example of a limited use of flag lots to appropriately address unique circumstances without changing the neighborhood character. Staff recommends that the project plans be revised to appropriately accommodate the necessary fault setbacks and to significantly reduce the number of flag lots. If the revised plans include a mix of both detached and attached residential housing units, the redesign should not result in a net loss of units. Split pad designs should also be incorporated into the project to reduce required grading.

Vacant Adjoining Property

A long, oblong-shaped parcel of land exists between US 101 and the northwesterly edge of the project site. This property, identified in the Alternatives Section of the EIR as the Ceralo Property (APN 678-02-018), currently has no public street access. A pending Zoning application (File No. PDC02-025) proposes 25 single-family detached units on the site. Staff has encouraged the applicant to work with the subject site's property owner to incorporate his property into the current project design. At this point, it appears that the applicant has not been successful in achieving an integrated project on both properties. In the absence of an integrated design, the adjacent property will have extremely limited development potential due its lack of access from a public street, high visibility and noise from Highway 101 and otherwise constrained location. While incorporation of the adjacent property into the subject project would be the optimal solution, staff believes that design revisions on the subject site alone will result in an acceptable project that will achieve the City's goals for housing development in this area.

Conclusion

Based on the above analysis, staff believes that the project should be redesigned to include a mixture of attached and detached single-family attached units in a configuration that eliminates development at the far southerly end of the site, provides a more appropriate lotting pattern, and uses a mixture of attached and detached units to place development in a manner that reduces disturbance of the hillsides, maximizes opens space and preserves existing view sheds to the maximum extent feasible, while maintaining the number of proposed units at 200 as proposed by the applicant.

Traffic and Traffic Calming Measures

The residents in the neighborhood to the north have expressed concerns about cut-through traffic, should Basking Ridge Avenue be connected to the Metcalf Road through the project site.

Connection of Basking Ridge Avenue to Metcalf Road

As staff indicated at the community meeting, the City's General Plan has assumed that Basking Ridge Avenue as a Major Collector will connect with Metcalf Road, but it does not address the actual design of the street. Staff has concluded that it is important to connect residential developments in order to create neighborhoods. As an example, it is very likely that children from the proposed housing development would go to the existing school in the Basking Ridge housing project. If the two developments in question were not connected by the extension of Basking Ridge Avenue, in order to get to school, children and their parents in the proposed project would need to drive south to Metcalf Road, from there west to Monterey Highway, north on Monterey Highway to Bernal Road, east across Bernal Road to Basking Ridge Avenue, and then finally south to the school, or be bused elsewhere out of the neighborhood.

In addition to creating neighborhoods, streets are also important for the provision of emergency services (fire, police, ambulance) and day-to-day activities (such as visiting neighbors and friends, mail delivery, trash pick-up, etc.). For all of these reasons, City staff is not supportive of the concept suggested by some residents to not connect the two neighborhoods with the extension of Basking Ridge Avenue.

Planning staff has concluded that with the designation of Basking Ridge as a Major Collector street, any proposal, which would not connect it to Metcalf Road in some manner as a public street, would not be in conformance with the City's General Plan. In order to consider a project without Basking Ridge Avenue as a through connection, a General Plan Amendment would first need to be initiated to delete the Major Collector designation. This proposal would require additional environmental and staff analysis before ultimate decision by the City Council, through a General Plan Review cycle. If this proposed zoning is approved with a through-connecting road, a rezoning would be required to reconfigure the road network should a General Plan Amendment to delete the Major Collector designation subsequently be approved.

Traffic Calming/Cut-Through Traffic

Given the proximity of the US 101/Metcalf Road intersection to other interchanges much further along in the planning process south of the subject intersection, Caltrans has indicated that they will not support a full interchange at the intersection of US 101/Metcalf Road. As noted at the November 14th community meeting, staff will likely be initiating a General Plan Amendment to delete the "full interchange" designation of the US 101/Metcalf Road intersection from the General Plan, further reducing potential traffic concerns expressed from neighbors about people possibly using Basking Ridge Avenue as a frontage road to bypass traffic on US 101.

In response to concerns raised by the neighborhood, the City's Department of Transportation is exploring traffic-calming measures that may be incorporated into the design of Basking Ridge Avenue to slow traffic, discourage cut-through traffic and increase traffic safety. These measures include such measures as stop signs, jogs in the roadway, split medians, trees placement, and bulb-outs at intersections, and would be reviewed in greater detail and incorporated into the project design through future Planned Development Permit and Public Improvement Plans processes. Safe crossings for the pedestrians to get to Coyote Creek Park are also necessary, and City staff will be working with the developer to make sure that safe crossings (possibly including stop signs and crosswalks) are provided by the project. Staff acknowledges that there is also the need to include traffic calming measures in the existing development along Basking Ridge Avenue to integrate the approach along its entire future length, but has concluded that it is beyond the scope or requirements of this project.

Staff believes that it is possible to break up the major thoroughfare look and function of the proposed extension of Basking Ridge Avenue in the middle, by revising the street layout (i.e., replacing a straight through portion with two cul-de-sacs). This would involve directing the street to jog uphill in an easterly direction and then back down westerly towards US 101, which would also help solve the traffic issues raised by the neighborhood regarding the current design. Staff has also concluded that there are two other areas of the proposed extension of Basking Ridge Avenue, one at each end of the project, where long, straight sections of the roadway could be curved, resulting in more of a neighborhood street feel and less like a major thoroughfare. Staff notes that the Major Collector designation at this location is specifically for connectivity and not due to high anticipated traffic volumes. Staff has requested that the applicant and the engineer explore these alternative design options. If these concepts are feasible and meet the City's design standards for public streets, staff concludes that the traffic issues (increase in volumes, speeding, accidents, etc.) have been adequately addressed for the proposed project.

Infrastructure to Serve the Project

Sanitary Sewer

Due to the elevation of existing sanitary sewer facilities relative to the project site, a sanitary sewer pump will be necessary to provide services to the proposed project. The applicant has proposed that this facility be public and be maintained by the City. As discussed in the attached correspondence from the City's Transportation and Public Works Departments, anticipated maintenance costs for such a pump facility would be approximately \$10,000 per year, excluding replacement parts. City staff has concluded that the cost for maintenance of this facility should appropriately rest with the future project homeowners, and should not be born by the current citizens of San Jose. Public Works and Transportation Department staff have indicated that a Community Facilities District (CFD) would be an appropriate way to provide for the future maintenance of the pump station. Staff has included a condition in attached *Draft Uses and Development Regulations* requiring the formation of a CFD to provide on-going funding for maintenance of the required sanitary sewer pump station.

Storm Sewer

The Public Works Department has indicated that a revised hydrology study of the project area will be required at the Planned Development Permit stage. In addition, Public Works has concluded that because of the design of the storm drainage system, with drains provided at the toe of the slopes, between the hillside and the cul-de-sac streets, continual unclogging of the drains to remove mud from slope erosion will be required. Because of this continual maintenance of the drain inlets and the cul-de-sac streets requiring clean-up of dirt, debris, and mud, a Community Facilities District (CFD) would be an appropriate way to finance and provide for the maintenance of the storm drainage system and the cul-de-sac streets.

Geology and Grading

As discussed in other parts of this report, portions of this site that are proposed for development are very steep and extend into and above the existing canal area, resulting in areas of significant proposed grading. Staff has concluded that as proposed, the project grading is excessive and could be substantially reduced by deleting the southerly development area, and using a mix of both detached and attached residential units in a revised project design. Including a mix of units could also allow the development to address geologic hazards areas that criss-cross the project site. Staff would note that as proposed, the project has received a Certificate of Geologic Hazards Clearance from the City's Geologist, which incorporates significant setbacks from identified Guidelines. Specific areas of concern are addressed in greater detail under the Site Design section of this report.

By conditioning the proposed Zoning to revise the site layout, staff has concluded that many of these grading and geologic conflicts could be minimized.

High Pressure Gas Pipeline and other Utility Easements

The site contains a PG & E, high-pressure gas pipeline that runs in a zigzag line across the site from north to south. The City has a departmental Policy (attached) that provides guidance for the development of land in proximity to high-pressure natural gas pipelines. Although the probability of an accident is low and urban living involves inherent risks, the Guidelines impose reasonable constraints on the intensity and type of occupancy in close proximity to high-pressure natural gas pipelines. The Guidelines recommend that only buildings having a low-density occupancy load (such as single-family or multi-family residential) and two stories or less in height should be allowed within 250 feet of the edge of the pipeline easement.

The developer is working with PG&E to relocate the high-pressure gas pipeline to the westerly side of the future extension of Basking Ridge Avenue. The nearest proposed residences would be located along the easterly side of the extension of Basking Ridge Avenue, and would be separated from the edge of the easement for the pipeline by the new public street. All structures within this project are two stories or less in height in conformance with the Guidelines. For these reasons, staff has concluded that the project is in conformance with the City's Guidelines for Development in Proximity to High Pressure Natural Gas Pipelines.

Historic Resources

Remnants of buildings and structures from the era of the Twin Oaks Dairy that currently exist on portions of the site are proposed for demolition. The majority of the dairy facility was removed, either by relocation or demolition, as part of the construction of the US 101/South Valley Freeway. The dairy was previously determined eligible for listing in the National Register of Historic Places. Based on the historical analysis included in the project's EIR, staff has concluded that the remaining buildings and structures are not individually significant to the history or architectural heritage of San Jose, and are not eligible for listing as historic resources according to the criteria of the National Register of Historic Places, the California Register, or the standards of the City of San Jose.

Open Space

The project developer is proposing to develop only the westerly portion (~ 41 acres) of the property. The remaining ~ 216 acres of the site are proposed as permanent open space to be transferred to the Open Space Authority or other open space preservation organization, with a conservation easement placed over the entire ~ 216 acres, to ensure that they remain permanent open space. Staff has concluded that this is an acceptable solution in keeping with the City's Open Space Preservation goals and policies. Additional Private open space is proposed between Basking Ridge Avenue and the property's western boundary. This area should be fully landscaped to help screen the development from US 101, and improve the visual aesthetics of the project as view from US 101. Maintenance of this landscaped area and other lighting improvements and amenities should be the responsibility of a Homeowner's Association for the project.

Conclusion

Based on the above analysis, staff concludes that while the site plan presented by the project developer has addressed many of the concerns raised by staff, other agencies and the neighborhood, the following concerns as described in this report still have not been addressed by the project developer: the elimination or relocation of that portion of the development at the southerly portion of the subject site, the reduction in the use of flaglots, traffic calming to reduce the potential for cut-through traffic, and the ongoing funding for the maintenance of the cul-de-sac streets, and sanitary and storm sewer systems. Staff further concludes that including a mixture of attached and detached units could potentially significantly address the site planning concerns and that the formation of a Community Facilities District (CFD) by the project developer would address the ongoing funding for the maintenance of the cul-de-sac streets, and sanitary and storm sewer systems necessary to serve the project.

RECOMMENDATION

Planning staff recommends that the City Council conditionally approve the subject rezoning with the following conditions of approval:

Prior to the Council Hearing, the project developer shall revise the project plans to show the following:

1. The elimination of the southerly cluster of development (Lot Nos. 191-200) at the southerly end of the site near Metcalf Road, in order to eliminate the significant grading and other environmental impacts that would be associated with their construction. These units may be relocated to other developable portions of the site, in conformance with the standards of the Planned Development Zoning up to 200 units, or the project developer could revise the plans to include attached residential units and reconfigure the development.
2. Conformance to the staff recommendations for the pending General Plan Amendment (File No. GP 01-02-01).
3. A note stating that the project developer shall form a Community Facilities District (CFD) to maintain all cul-de-sacs, the storm drainage system, and the sanitary sewer system and pump station.
4. A realignment of Basking Ridge Avenue to provide for “traffic calming” jogs and curves, but retain connectivity from existing Basking Ridge Avenue to Metcalf Road to the satisfaction of the Directors of Public Works, Transportation, and Planning.

for the following reasons:

1. If General Plan Amendment File No. GP01-02-01 is approved by the City Council, the proposed project allowing up to 200 dwelling units, is consistent with the San José 2020 General Plan Land Use/Transportation Diagram designation of Medium Density (8-16 DU/AC) as requested by the applicant, or the alternate proposal recommended by staff of Medium Low Density Residential (8 DU/AC) on acres, and Medium Density Residential (8-16 DU/AC).
2. The proposed project meets the intent of the Residential Design Guidelines.
3. The proposed rezoning is compatible with existing and proposed uses on the adjacent and neighboring properties.
4. As conditioned, the proposed Planned Development Rezoning will adequately address traffic calming and operational concerns raised by the neighborhood along the future extension of Basking Ridge Avenue and it will minimize the grading necessary to construct the project and its associated infrastructure.
5. As conditioned, a Community Facilities District (CFD) will adequately address the annual and long-term maintenance issues associated with the cul-de-sacs streets, storm drainage system, and sanitary sewer system and pump station.

c: Tom Armstrong, HMH, Inc., P.O. Box 611510, San Jose, CA 95161-1510
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Jim Sullivan, Braddock & Logan Group, Inc., 4155 Blackhawk Plaza Circle, Danville, CA 94506
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Stephen Norman, 717 Brandermill Court, San Jose, CA 95138